

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ANTHONY ROSHON ROBERTS, JR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-11-33-M
)	
JUSTIN JONES, Director, et al.,)	
)	
Defendants.)	


ORDER

On February 4, 2011, United States Magistrate Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, seeking damages for alleged constitutional violations committed by defendants. The Magistrate Judge recommends that plaintiff's cause of action be dismissed without prejudice pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2)(B) for failure to state a claim for relief and, with respect to his conspiracy claim, as frivolous. The parties were advised of their right to object to the Report and Recommendation by February 24, 2011, and on February 14, 2011, plaintiff filed his objections.

Upon de novo review, the Court:

- (1) OVERRULES plaintiff's objections to the well-reasoned and thorough Report and Recommendation issued by the Magistrate Judge on February 4, 2011;
- (2) ADOPTS the Report and Recommendation issued by the Magistrate Judge on February 4, 2011; and
- (3) SUMMARILY DISMISSES plaintiff's cause of action without prejudice pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2)(B) for failure to state a claim for relief and, with respect to his conspiracy claim, as frivolous.

IT IS SO ORDERED this 15th day of February, 2011.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE